

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#
DATE FILED: 4/30/10

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EVEREST NATIONAL INSURANCE COMPANY :
as subrogee of Heathel Properties LLC, :

Plaintiff, :

-against- :

QUEENS VILLAGE LIQUOR STORE, INC., :

Defendant. :

10 Civ. 2193 (JGK) (AJP)

**ORDER TRANSFERRING
CASE TO E.D.N.Y.**

----- X
ANDREW J. PECK, United States Magistrate Judge:

Venue was not proper in this District. Upon the parties' consent (see plaintiff's letter, attached; defendant's letter was attached to my 4/22/10 Order), this case is transferred to the United States District Court for the Eastern District of New York.

The Clerk of Court is to transfer the case, and close the case in this District.

SO ORDERED.

Dated: New York, New York
April 30, 2010



Andrew J. Peck
United States Magistrate Judge

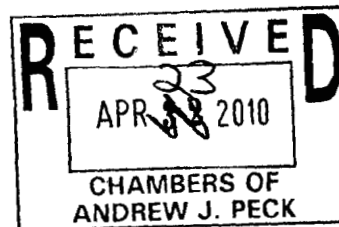
Copies **by fax & ECF** to: James P. Cullen, Esq.
James A. Aldag, Esq.
Judge John G. Koeltl

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Apr-22-10 07:34pm From: Cozen O'Connor - Philadelphia

215-665-2013

T-373 P.002/002 F-488



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April 22, 2010

VIA FACSIMILE

Honorable Andrew J. Peck
 United States Magistrate Judge
 United States District Court
 Southern District of New York
 United States Courthouse
 500 Pearl Street, Room 1370
 New York, NY 10007-1312

Re: *Everest National Insurance Company, as subrogee of
 Heathel Properties LLC v. Queens Village Liquor Store, Inc.*
 USDC, Southern District of New York
 Civil Action No. 1:10-CV-2193
 Our File No. 255037

Dear Judge Peck:

My office represents Plaintiff Everest National Insurance Company, as subrogee of Heathel Properties LLC in the above-referenced action. As Your Honor requested, I write to indicate that our office has no objection to the transfer of this matter to the Eastern District of New York. If any additional information is needed from me, please feel free to contact me at (215) 665-4102.

Respectfully yours,

COZEN O'CONNOR

A handwritten signature in cursive script that reads "James P. Cullen".

BY: JAMES P. CULLEN, JR.

JPC:ma

cc: James A. Aldag, Esquire (Via Facsimile)
 John B. Galligan, Esquire (Via Facsimile)